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10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
12 (SAN FRANCISCO DIVISION)

13 SERVICE EMPLOYEES INTERNATIONAL
14 UNION NATIONAL INDUSTRY PENSION
15 FUND; STEPHEN ABRECHT, Trustee;
16 RODERICK S. BASHIR, Trustee; KEVIN J.
17 DOYLE, Trustee; DAVID A. STILWELL,
18 Trustee; STEVEN W. FORD, Trustee;
19 LARRY T. SMITH, Trustee; FRANK A.
20 MAXSON, Trustee; EDWARD MANKO,
21 Trustee; JOHN J. SHERIDAN, Trustee; and
22 MYRIAM
23 ESCAMILLA, Trustee,
24 Plaintiffs,
25 vs.
26 U.S. METRO GROUP, INC., a California
27 corporation,
28 Defendant.

CASE NO.: CV 11-05711 MEJ

**REQUEST FOR CONTINUANCE OF
CASE MANAGEMENT CONFERENCE
AND [PROPOSED] ORDER**

Date: Thursday, March 15, 2012
Time: 10:00 a.m.
Judge: Magistrate Judge Maria-Elena James
Courtroom B. 15th Floor
450 Golden Gate Ave.
San Francisco, CA

21
22 Plaintiffs hereby submit their Request for Continuance of the Case Management
23 Conference currently scheduled for Thursday, March 15, 2012 at 10:00 a.m.

24 1. The Complaint in this matter was filed on November 29, 2012 for Defendant's
25 failure to pay employee pension contributions owing to Plaintiff Service Employees
26 International Union National Industry Pension Fund.
27

- 1 2. On February 15, 2012, Defendant U.S. Metro Group, Inc. executed a waiver of the
2 service of summons. On February 23, 2012, the executed waiver of service of
3 summons was filed with the Court (Docket No. 4). Pursuant to the filed waiver of
4 service of summons, Defendant's response to the complaint is due by April 16,
5 2012.
- 6 3. The parties are currently in settlement discussions concerning Defendant's liability
7 to the Pension Fund.
- 8 4. The parties hope to resolve all of the above issues and reach settlement of this
9 matter within the next sixty (60) days.
- 10 5. Therefore, there is nothing for the Court to consider at this time.
- 11 6. Plaintiffs therefore respectfully request that, in order to minimize costs and fees in
12 this action and allow the parties to finalize settlement of this matter, the Case
13 Management Conference be continued for a period of at least sixty (60) days.

14 Date: March 5, 2012

SALTZMAN & JOHNSON LAW CORPORATION

15 By: _____ /S/
16 Kimberly A. Hancock
17 Attorneys for Plaintiffs
18

19 IT IS SO ORDERED.
20

21 Based on the foregoing, and for GOOD CAUSE appearing, the Case Management
22 Conference currently set for Thursday, March 15, 2012 at 10:00 a.m. is hereby continued to
23 May 24, 2012 _____ at 10:00 a.m.

24 Date: March 6, 2012

25 _____
26 The Honorable Lee Maria-Elena James
27 Magistrate Judge, United States District Court

1 PROOF OF SERVICE

2 I, the undersigned, declare:

3 I am employed in the County of San Francisco, State of California. I am over the age of
4 eighteen and not a party to this action. My business address is 44 Montgomery Street, Suite 2110,
5 San Francisco, California 94104.

6 On March 5, 2012, I served the document listed below on the parties to this action,
7 addressed as follows, in the manner described below:

8 **REQUEST FOR CONTINUANCE OF**
9 **CASE MANAGEMENT CONFERENCE**
10 **AND [PROPOSED] ORDER THEREON**

11 XX **MAIL**, being familiar with the practice of this office for the collection and the processing
12 of correspondence for mailing with the United States Postal Service, and deposited in the
United States Mail copies of the same to the business addresses set forth below, in a sealed
envelope fully prepared.

13 XX **E-MAIL**: as a courtesy, I caused copies of the same to be sent to the persons listed below
14 at the respective e-mail addresses listed below. I did not receive, within a reasonable time
after the transmission, any electronic message or other indication that the transmission was
unsuccessful.

15 *Addressed to:*

16 A. Jay Norton, Esq.
17 Law Offices of A. Jay Norton
18 Attorney for Defendant U.S. Metro Group
19 4010 Watson Plaza Drive, Suite 270
Lakewood, CA 90712
Email: ajaynorton@yahoo.com

20 I declare under penalty of perjury that the foregoing is true and correct and that this
21 declaration was executed this 5th day of March, 2012, at San Francisco, California.
22

23 /S/
24 Julie Jellen